

ASSEMBLY BILL

No. 1140

Introduced by Assembly Member Donnelly

February 18, 2011

An act to amend Sections 11266.5, 11320.15, and 17021 of, and to amend and repeal Sections 11327.5 and 11454 of, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1140, as introduced, Donnelly. CalWORKs: eligibility: time limit.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families. Existing law provides that a parent or caretaker relative shall not be eligible for CalWORKs aid when he or she has received aid for a cumulative total of 60 months. Existing law excludes months in which certain conditions exist from being counted as a month of receipt of aid for these purposes.

This bill would revise the requirements for providing aid under the CalWORKs program by replacing the existing time limits on receipt of aid with a 6-month limit, operative 90 days after the effective date of the bill.

Existing law requires every county and every city and county to relieve and support all incompetent, poor, indigent persons, and those incapacitated by age, disease, or accident, lawfully residing in the county

or city and county, when those persons are not supported and relieved by their relatives or friends, by their own means, or by state hospitals or other state or private institutions. Under existing law, an individual who is not eligible for CalWORKs aid because of the time limitation, is ineligible for county assistance until all of the children of the individual on whose behalf aid was received, whether or not currently living in the home with the individual, are 18 years of age or older. Existing law also provides that such an individual is ineligible for county assistance if he or she is ineligible for CalWORKs aid due to the imposition of a sanction or penalty.

This bill would extend the provisions for ineligibility for county assistance to a child who is ineligible for CalWORKs aid due to the 6-month time limit required by the bill, or due to the imposition of a sanction or penalty, as specified.

This bill would make various conforming changes and would state the intent of the Legislature to enact legislation to conform other CalWORKs program provisions to a 6-month time limit on aid.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11266.5 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 11266.5. (a) Every applicant for aid under this chapter shall
- 4 be informed of the availability of lump-sum diversion services to
- 5 resolve the circumstances that require the family to apply for
- 6 assistance prior to the family's approval for aid.
- 7 (b) When an applicant is determined to be eligible for assistance
- 8 under this chapter, the county shall assess whether the applicant
- 9 would benefit from the lump-sum diversion program. The county
- 10 shall make this determination in its sole discretion. In making this
- 11 determination, the county shall consider whether the applicant is
- 12 likely to be able to avoid the need for extended assistance beyond
- 13 the diversion period if the family was provided one-time assistance.
- 14 In making this determination, the county may consider any of the
- 15 following:
- 16 (1) The applicant's employment history.
- 17 (2) The likelihood of the applicant obtaining immediate full-time
- 18 employment.

1 (3) The applicant's general prospect for obtaining full-time
2 employment.

3 (4) The applicant's need for cash assistance to pay for housing
4 or substantial and unforeseen expenses or work-related expenses.

5 (5) Housing stability.

6 (6) The adequacy of the applicant's child care arrangements, if
7 applicable.

8 (c) If the county determines, pursuant to subdivision (b), that
9 an applicant could benefit from a lump-sum diversion payment,
10 the county shall inform the applicant of its determination.

11 (d) An applicant for aid under this chapter may either participate
12 in the lump-sum diversion program or decline participation in
13 diversion and, instead, receive aid as otherwise provided for in
14 this chapter.

15 (e) Lump-sum diversion services provided under this section
16 may include any cash or noncash payment and shall be negotiated
17 by the county and the applicant in order to assist the applicant in
18 avoiding the need for aid under this chapter.

19 (f) If, after accepting a diversion payment pursuant to this
20 section, the individual reapplies for aid under this chapter within
21 the amount of time that corresponds with the number of months
22 of aid that would have been received under this chapter that was
23 received as a diversion payment, excluding a partial month, and
24 he or she is determined to be eligible for aid, the county shall, at
25 the option of the recipient, either recoup from the recipient's grant,
26 over a period of time to be determined by the county, the amount
27 of the diversion payment that the recipient received, or count the
28 period of time that corresponds to the number of months of aid
29 that would have been received, excluding a partial month of aid,
30 towards the ~~60-month~~ *six-month* time limit on aid specified in
31 subdivision ~~(b)~~ (a) of Section 11454.

32 (g) To the extent permitted by federal law, lump-sum diversion
33 payments shall not be considered income for the purpose of
34 determining eligibility for ~~food stamps~~ *CalFresh benefits*.

35 (h) Any child support collected by the applicant or recovered
36 by the county shall not be used to offset the diversion payment.

37 (i) During the period of the diversion, the applicant family shall
38 be eligible for Medi-Cal and child care assistance pursuant to
39 Article 15.5 (commencing with Section 8350) of Chapter 2 of Part
40 6 of the Education Code, if otherwise eligible.

SEC. 2. Section 11320.15 of the Welfare and Institutions Code is amended to read:

11320.15. After a participant has received aid for a total of ~~60 months~~ *six months*, pursuant to Section 11454, he or she shall be removed from the assistance unit for the purposes of calculation of aid under Section 11450 and he or she shall no longer be required to participate in welfare-to-work activities. Additional welfare-to-work services may be provided to the recipient, at the option of the county. If the county provides services to the recipient after the ~~60-month~~ *six-month* limit has been reached, the recipient shall participate in community service.

SEC. 3. Section 11327.5 of the Welfare and Institutions Code, as amended by Section 2 of Chapter 8 of the 4th Extraordinary Session of the Statutes of 2009, is amended to read:

11327.5. (a) Sanctions shall be imposed in accordance with subdivision (b) or (c), as appropriate, if an individual has failed or refused to comply with program requirements without good cause and conciliation efforts, as described in Section 11327.4, have failed.

(b) The sanctions provided for in subdivisions (c) and (d) shall not apply to an individual who is exempt from the requirements of this article but is voluntarily participating in the program. If that individual engages in conduct that would bring about the actions provided for in subdivisions (c) and (d), except for his or her status as a voluntary program participant, the individual shall not be given priority so long as other individuals are actively seeking to participate.

(c) Financial sanctions for failing or refusing to comply with program requirements without good cause shall cause a reduction in the family's grant by removing the noncomplying family member from the assistance unit for a period of time specified in subdivision (d).

(1) For families that qualify for aid due to unemployment of the family's primary wage earner, the sanctioned parent shall be removed from the assistance unit. Unless the spouse or the family's second parent meets the provisions of subparagraph (A) of paragraph (2), if the sanctioned parent's spouse or the family's second parent is not participating in the program, both the sanctioned parent and the spouse or second parent shall be removed from the assistance unit. The county shall notify the spouse of the

1 noncomplying participant or second parent in writing at the
2 commencement of conciliation of his or her own opportunity to
3 participate and the impact on sanctions of that participation.

4 (2) (A) Except as provided in subparagraph (B), exemption
5 criteria specified in Section 11320.3, conciliation specified in
6 Section 11327.4, and good cause criteria specified in Section
7 11320.31 and subdivision (f) of Section 11320.3 shall apply to the
8 sanctioned parent's spouse or the family's second parent.

9 (B) Exemption criteria specified in paragraphs (5) and (6) of
10 subdivision (b) of Section 11320.3 do not apply to a spouse or
11 second parent who is participating to avoid the sanction of the
12 noncomplying parent.

13 (C) If the sanctioned parent's spouse or the family's second
14 parent chooses to participate to avoid the noncomplying parent's
15 sanction, subsequently fails or refuses to participate without good
16 cause, and does not conciliate, he or she shall be removed from
17 the assistance unit for a period of time specified in subdivision
18 (d).

19 (D) If the sanctioned parent's spouse or the family's second
20 parent is under his or her own sanction at the time of the first
21 parent's sanction, the spouse or second parent shall not be provided
22 the opportunity to avoid the first parent's sanction until the spouse
23 or second parent's sanction is completed.

24 (3) For families that qualify due to the absence or incapacity of
25 a parent, only the noncomplying parent shall be removed from the
26 assistance unit.

27 (4) If the noncomplying individual is the only dependent child
28 in the family, his or her needs shall not be taken into account in
29 determining the family's need for assistance and the amount of
30 the assistance payment.

31 (5) If the noncomplying individual is one of several dependent
32 children in the family, his or her needs shall not be taken into
33 account in determining the family's need for assistance and the
34 amount of the assistance payment.

35 (d) An instance of noncompliance without good cause shall
36 result in a financial sanction. This sanction shall terminate at any
37 point if the noncomplying participant performs the activity or
38 activities he or she previously refused to perform.

1 (e) Sanctions shall become effective on the first day of the first
2 payment-month that the sanctioned individual's needs are removed
3 from aid under this chapter.

4 (f) In the event this section conflicts with federal law, the
5 department shall adopt regulations to conform to federal law.

6 ~~(g) This section shall remain in effect only until July 1, 2011,~~
7 ~~and as of that date is repealed.~~

8 SEC. 4. Section 11327.5 of the Welfare and Institutions Code,
9 as added by Section 3 of Chapter 8 of the 4th Extraordinary Session
10 of the Statutes of 2009, is repealed.

11 ~~11327.5. (a) Sanctions shall be imposed in accordance with~~
12 ~~subdivision (b) or (c), as appropriate, if an individual has failed or~~
13 ~~refused to comply with program requirements without good cause~~
14 ~~and conciliation efforts, as described in Section 11327.4, have~~
15 ~~failed.~~

16 ~~(b) The sanctions provided for in subdivisions (c) and (d) shall~~
17 ~~not apply to an individual who is exempt from the requirements~~
18 ~~of this article but is voluntarily participating in the program. If that~~
19 ~~individual engages in conduct that would bring about the actions~~
20 ~~provided for in subdivisions (c) and (d), except for his or her status~~
21 ~~as a voluntary program participant, the individual shall not be~~
22 ~~given priority so long as other individuals are actively seeking to~~
23 ~~participate.~~

24 ~~(c) Financial sanctions for failing or refusing to comply with~~
25 ~~program requirements without good cause shall cause a reduction~~
26 ~~in the family's grant, in accordance with subdivision (d).~~

27 ~~(1) For families that qualify for aid due to unemployment of the~~
28 ~~family's primary wage earner, the sanctioned parent shall be~~
29 ~~removed from the assistance unit. Unless the spouse or the family's~~
30 ~~second parent meets the provisions of subparagraph (A) of~~
31 ~~paragraph (2), if the sanctioned parent's spouse or the family's~~
32 ~~second parent is not participating in the program, both the~~
33 ~~sanctioned parent and the spouse or second parent shall be removed~~
34 ~~from the assistance unit. The county shall notify the spouse of the~~
35 ~~noncomplying participant or second parent in writing at the~~
36 ~~commencement of conciliation of his or her own opportunity to~~
37 ~~participate and the impact on sanctions of that participation.~~

38 ~~(2) (A) Except as provided in subparagraph (B), exemption~~
39 ~~criteria specified in Section 11320.3, conciliation specified in~~
40 ~~Section 11327.4, and good cause criteria specified in Section~~

1 11320.31 and subdivision (f) of Section 11320.3 shall apply to the
2 sanctioned parent's spouse or the family's second parent.

3 (B) Exemption criteria specified in paragraphs (5) and (6) of
4 subdivision (b) of Section 11320.3 do not apply to a spouse or
5 second parent who is participating to avoid the sanction of the
6 noncomplying parent.

7 (C) If the sanctioned parent's spouse or the family's second
8 parent chooses to participate to avoid the noncomplying parent's
9 sanction, subsequently fails or refuses to participate without good
10 cause, and does not conciliate, he or she shall be removed from
11 the assistance unit for a period of time specified in subdivision
12 (d).

13 (D) If the sanctioned parent's spouse or the family's second
14 parent is under his or her own sanction at the time of the first
15 parent's sanction, the spouse or second parent shall not be provided
16 the opportunity to avoid the first parent's sanction until the spouse
17 or second parent's sanction is completed.

18 (3) For families that qualify due to the absence or incapacity of
19 a parent, only the noncomplying parent shall be removed from the
20 assistance unit.

21 (4) If the noncomplying individual is the only dependent child
22 in the family, his or her needs shall not be taken into account in
23 determining the family's need for assistance and the amount of
24 the assistance payment.

25 (5) If the noncomplying individual is one of several dependent
26 children in the family, his or her needs shall not be taken into
27 account in determining the family's need for assistance and the
28 amount of the assistance payment.

29 (d) (1) An instance of noncompliance without good cause shall
30 result in a financial sanction, consisting of removing the
31 noncomplying family member from the assistance unit, after the
32 noncompliance persists for three cumulative months. The
33 conciliation process described in Section 11327.4 shall occur
34 during the first 30 days of this three-month period. A sanction
35 under this section shall terminate at any point if the noncomplying
36 participant performs the activity or activities he or she previously
37 refused to perform.

38 (2) (A) If the instance of noncompliance persists for three
39 cumulative months, the county shall review and assess the
40 circumstances of the noncomplying individual in order to determine

1 and identify potential barriers to participation, assess the need for
2 services or resources, and provide tools to connect the individual
3 with services and activities. The review and assessment shall be
4 conducted by a social worker or employment services worker. The
5 county shall make a good faith effort to remediate any barriers that
6 are identified. If barriers relating to substance abuse, mental health,
7 or domestic violence are suspected, the county shall schedule
8 assessments with an employment specialist or social worker for
9 the individual in order to assess and review for treatment. This
10 review shall occur within 30 days after the grant reduction made
11 pursuant to paragraph (1).

12 (B) If the county fails to conduct a review or remediate any
13 issues pursuant to this paragraph, or if the county determines that
14 the individual is in compliance pursuant to paragraph (1), or is
15 exempt from welfare-to-work requirements, the sanction shall
16 terminate. If failure to conduct a review or remediate an issue is
17 the result of the recipient's noncompliance, the sanction shall
18 continue.

19 (3) (A) If the instance of noncompliance persists for an
20 additional three cumulative months after a grant reduction is made
21 pursuant to paragraph (1), the grant shall be decreased by an
22 amount equal to 25 percent of the child-only grant, which already
23 reflects the removal of the parent.

24 (B) If the instance of noncompliance persists for an additional
25 three cumulative months after the family's grant is reduced under
26 subparagraph (A), a second review and assessment shall be
27 conducted in accordance with the requirements of paragraph (2).
28 The second review and assessment shall be conducted within 30
29 days of the most recent grant reduction pursuant to subparagraph
30 (A). After the review and assessment conducted under this
31 paragraph, if the instance of noncompliance persists for an
32 additional three cumulative months after the most recent reduction,
33 the family's aid grant shall be decreased by an amount equal to 50
34 percent of the child-only grant level that existed prior to the
35 25-percent reduction.

36 (C) At any time, if the noncomplying member is determined to
37 be exempt, or comes into compliance with applicable CalWORKs
38 work requirements, the sanction shall terminate and the full aid
39 grant amount shall be restored.

~~(4) (A) With respect to an assistance unit from which the adult's share of the grant has been terminated due to the expiration of the 60-month period provided for pursuant to Section 11454, the county shall impose the sanctions provided for in this section only if the county makes available to the adult necessary child care services, and all applicable exemptions. If the Legislature has made a specific appropriation for transportation services for families who have exceeded the 60-month time limit and the county has not made this service available to the adult, as necessary, a sanction shall not be imposed. These cases shall receive a review pursuant to subdivision (g) of Section 11320.2 at the 42nd or 54th month of aid in preparation for this assessment by the county, including reviewing possible exemptions and discussing possible grant reductions if the family is not in compliance after the 60 months with the state participation requirements, as determined by the county. The individual shall receive notice of the review, which shall include informing the individual of the risk of having the grant further reduced by 25 percent if the parent does not comply with CalWORKs requirements after the 48th or 60th month on aid, as well as opportunities to come into compliance and services that may be available from the county.~~

~~(B) If the county determines after the 48th or 60th month on aid that the adult is not in compliance and does not otherwise meet exemption criteria, such as SSI eligibility or being an elderly caregiver, and the service requirements of the county as specified in subparagraph (A) have been met, then the aid grant shall be decreased by an amount equal to 25 percent of the child-only portion of the grant, thus resulting in a grant level equal to 75 percent of the child-only grant level in the 47th or 59th month, or the month prior to entering the safety net. Review and assessment pursuant to paragraph (2) shall be scheduled with the adult in this assistance unit at this time.~~

~~(C) If the noncompliance persists for three cumulative months after the grant reduction pursuant to subparagraph (B) the review and assessment conducted pursuant to paragraph (2), and the county has met the service requirements specified in subparagraph (A), then the aid grant shall be decreased by an amount equal to 50 percent of the child-only aid grant thus resulting in a grant level equal to 50 percent of the child-only grant level in the 47th or 59th month, or the month prior to entering the safety net.~~

1 (D) ~~At any time, if the noncomplying member is determined to~~
2 ~~be exempt from welfare-to-work activities, or comes into~~
3 ~~compliance with applicable CalWORKs work requirements, the~~
4 ~~sanction shall terminate and the full aid grant amount shall be~~
5 ~~restored.~~

6 (5) (A) ~~After 60 full months of aid, with respect to an assistance~~
7 ~~unit for which there is no adult share due to the adult being (i) not~~
8 ~~lawfully present in the United States, (ii) a person described by~~
9 ~~Section 608(a)(9)(A) of Title 42 of the United States Code, or (iii)~~
10 ~~convicted of any offense classified as a felony by the law of the~~
11 ~~jurisdiction involved and that has as an element of the possession,~~
12 ~~use, or distribution of a controlled substance, as defined in Section~~
13 ~~802(6) of Title 21 of the United States Code, the county shall apply~~
14 ~~the sanction provisions contained in subparagraph (B) to the~~
15 ~~assistance unit allowing for all applicable exemptions. If the county~~
16 ~~makes available to the adult, at county expense or pursuant to a~~
17 ~~specific General Fund appropriation, necessary supportive services~~
18 ~~of child care and transportation, in addition to community service~~
19 ~~opportunities, and the family is in compliance with work~~
20 ~~requirements the family shall receive the full child-only grant.~~
21 ~~These cases shall receive a self-sufficiency review pursuant to~~
22 ~~subdivision (g) of Section 11320.2 at the 54th month of aid, in~~
23 ~~preparation for this assessment by the county, including reviewing~~
24 ~~possible exemptions, and discussing possible grant reductions if~~
25 ~~the family is not in compliance with the state participation~~
26 ~~requirements after 60 months, as determined by the county.~~

27 (B) ~~If the county determines after the 60 months of aid that the~~
28 ~~adult does not otherwise meet exemption criteria, including those~~
29 ~~that acknowledge the adult's inability to work, such as SSI~~
30 ~~eligibility or being an elderly caregiver, and the service~~
31 ~~requirements of the county as specified in subparagraph (A) have~~
32 ~~been met, then the aid grant shall be decreased by an amount equal~~
33 ~~to 25 percent of the child-only portion of the grant amount, thus~~
34 ~~resulting in a grant level equal to 75 percent of the child-only grant~~
35 ~~level in the 59th month or the month prior to entering the safety~~
36 ~~net. Review and assessment pursuant to paragraph (2) shall be~~
37 ~~scheduled with the adult in this assistance unit at this time.~~

38 (C) ~~If the noncompliance persists for three cumulative months~~
39 ~~after the review and assessment conducted pursuant to paragraph~~
40 ~~(2), and the service requirements of the county as specified in~~

1 subparagraph (A) have been met, the family's aid grant shall be
2 decreased to an amount equal to 50 percent of the child-only
3 portion of the grant amount, thus resulting in a grant level equal
4 to 50 percent of the child-only grant level in the 59th month prior
5 to entering the safety net.

6 (D) At any time, if the noncomplying member is determined to
7 be exempt from welfare-to-work activities, or comes into
8 compliance with applicable CalWORKs work requirements, the
9 sanction shall terminate and the full aid grant amount shall be
10 restored.

11 (e) Sanctions shall become effective on the first day of the first
12 payment month that the sanctioned individual's needs are removed
13 or further reductions are made to aid under this chapter.

14 (f) The additional monetary sanctions imposed in subdivision
15 (d) shall not apply if the only sanctioned individual in the family
16 is a dependent child.

17 (g) The county shall send individuals subject to sanction a notice
18 by the end of their second cumulative month on sanction, and a
19 notice by the end of their fifth cumulative month on sanction,
20 reminding them that their aid will further decrease if the sanction
21 is not cured by the end of the third or sixth month, respectively.

22 (h) In addition to the notice required pursuant to subdivision
23 (d), counties shall attempt to contact the noncompliant individual
24 prior to imposing a sanction reducing the family's aid. This contact
25 may be achieved through telephone calls, letters, home visits, or
26 some combination of these methods.

27 (i) The review and assessment described in paragraph (2) of
28 subdivision (d) shall be deemed to satisfy the requirements for a
29 self-sufficiency review pursuant to Section 11320.2 if the review
30 and assessment occurs within the same month that a
31 self-sufficiency review under Section 11320.2 would have been
32 scheduled. If failure to conduct the review or assessment is the
33 result of the recipient's noncompliance, the sanction or further
34 reduction shall become effective under this chapter.

35 (j) Any review or assessment required under this section may
36 be conducted through face-to-face meetings or home visits.

37 (k) This section shall become operative on July 1, 2011.

38 SEC. 5. Section 11454 of the Welfare and Institutions Code,
39 as amended by Section 5 of Chapter 8 of the 4th Extraordinary
40 Session of the Statutes of 2009, is amended to read:

1 11454. (a) A parent or caretaker relative shall not be eligible
2 for aid under this chapter when he or she has received aid under
3 this chapter or from any state under the Temporary Assistance for
4 Needy Families program (Part A (commencing with Section 401)
5 of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601
6 et seq.) for a cumulative total of ~~60~~ six months.

7 (b) No month in which aid has been received prior to January
8 1, 1998, shall be taken into consideration in computing the
9 ~~60-month~~ six-month limitation provided for in subdivision (a).

10 (c) Subdivision (a) shall not be applicable when all parent or
11 caretaker relatives of the aided child who are living in the home
12 of the child meet any of the following requirements:

13 (1) They are 60 years of age or older.

14 (2) They meet one of the conditions specified in paragraph (4)
15 or (5) of subdivision (b) of Section 11320.3.

16 (3) They are not included in the assistance unit.

17 (4) They are receiving benefits under Section 12200 or Section
18 12300, State Disability Insurance benefits or Workers'
19 Compensation Temporary Disability Insurance, if the disability
20 significantly impairs the recipient's ability to be regularly employed
21 or participate in welfare-to-work activities.

22 (5) They are incapable of maintaining employment or
23 participating in welfare-to-work activities, as determined by the
24 county, based on the assessment of the individual and the individual
25 has a history of participation and full cooperation in
26 welfare-to-work activities.

27 ~~(d) This section shall remain in effect only until July 1, 2011,~~
28 ~~and as of that date is repealed.~~

29 SEC. 6. Section 11454 of the Welfare and Institutions Code,
30 as added by Section 6 of Chapter 8 of the 4th Extraordinary Session
31 of the Statutes of 2009, is repealed.

32 ~~11454. (a) A parent or caretaker relative shall not be eligible~~
33 ~~for aid under this chapter when he or she has received aid under~~
34 ~~this chapter or from any state under the Temporary Assistance for~~
35 ~~Needy Families program (Part A (commencing with Section 401)~~
36 ~~of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601~~
37 ~~et seq.) for a cumulative total of 60 months.~~

38 ~~(b) No month in which aid has been received prior to January~~
39 ~~1, 1998, shall be taken into consideration in computing the~~

1 ~~60-month limitation provided for in subdivision (a), or the~~
2 ~~48-month limitation provided for in subdivision (e).~~

3 ~~(e) Subdivision (a) shall not be applicable when all parent or~~
4 ~~caretaker relatives of the aided child who are living in the home~~
5 ~~of the child meet any of the following requirements:~~

6 ~~(1) They are 60 years of age or older.~~

7 ~~(2) They meet one of the conditions specified in paragraph (4)~~
8 ~~or (5) of subdivision (b) of Section 11320.3.~~

9 ~~(3) They are not included in the assistance unit.~~

10 ~~(4) They are receiving benefits under Section 12200 or Section~~
11 ~~12300, State Disability Insurance benefits or Workers'~~
12 ~~Compensation Temporary Disability Insurance, if the disability~~
13 ~~significantly impairs the recipient's ability to be regularly employed~~
14 ~~or participate in welfare-to-work activities.~~

15 ~~(5) They are incapable of maintaining employment or~~
16 ~~participating in welfare-to-work activities, as determined by the~~
17 ~~county, based on the assessment of the individual and the individual~~
18 ~~has a history of participation and full cooperation in~~
19 ~~welfare-to-work activities.~~

20 ~~(d) A month in which an individual is under sanction for~~
21 ~~noncompliance pursuant to Section 11327.5 shall be taken into~~
22 ~~consideration in computing the 60-month time limit on receipt of~~
23 ~~cash assistance pursuant to subdivision (a), but shall not be counted~~
24 ~~for purposes of the receipt of welfare-to-work services pursuant~~
25 ~~to Section 11320.~~

26 ~~(e) The 60-month benefit limit provided for in subdivision (a)~~
27 ~~shall apply, except that aid may not be received for more than 48~~
28 ~~cumulative months in any 60-month period. The adult may return~~
29 ~~to the assistance unit 12 months after receiving aid for the 48~~
30 ~~cumulative months. In the absence of a sanction pursuant to Section~~
31 ~~11327.5, the full grant shall be restored at the time the adult returns~~
32 ~~to the assistance unit.~~

33 ~~(f) This section shall become operative on July 1, 2011.~~

34 ~~(g) Counties shall notify families of the reduction in time~~
35 ~~limitations specified in this section, within a reasonable time~~
36 ~~following the effective date of this section.~~

37 SEC. 7. Section 17021 of the Welfare and Institutions Code is
38 amended to read:

39 17021. (a) Any individual who is not eligible for aid under
40 Chapter 2 (commencing with Section 11200) of Part 3 as a result

1 of the ~~60-month~~ *six-month* limitation specified in subdivision (a)
2 of Section 11454 shall not be eligible for aid or assistance under
3 this part until all of the children of the individual on whose behalf
4 aid was received, whether or not currently living in the home with
5 the individual, are 18 years of age or older.

6 (b) Any individual who is receiving aid under Chapter 2
7 (commencing with Section 11200) of Part 3 on behalf of an eligible
8 child, but who is either ineligible for aid or whose needs are not
9 otherwise taken into account in determining the amount of aid to
10 the family pursuant to Section 11450 due to the imposition of a
11 sanction or penalty, shall not be eligible for aid or assistance under
12 this part.

13 (c) This section shall not apply to health care benefits provided
14 under this part.

15 SEC. 8. (a) It is the intent of the Legislature in enacting this
16 act to establish a six-month time limit in the receipt of CalWORKs
17 benefits.

18 (b) It is the further intent of the Legislature to enact legislation
19 to conform existing law to this six-month time limit, in areas
20 including, but not limited to, reporting procedures, self-sufficiency
21 reviews, and coordination with the provision of CalFresh benefits.

22 SEC. 9. The changes made to the Welfare and Institutions Code
23 by this act shall become operative 90 days after the effective date
24 of the act.